

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ARLINGTON INDUSTRIES, INC.,

Plaintiff,

v.

BRIDGEPORT FITTINGS, INC.,

Defendant.

CIVIL ACTION NO. 3:02-CV-0134

(JUDGE CAPUTO)

ORDER

NOW, this 7th day of December, 2016, **IT IS HEREBY ORDERED** that:

(1) The Motion for an Order to Show Cause (Doc. 334) filed Arlington Industries, Inc. ("Arlington") is **GRANTED in part and DENIED in part**. Arlington may pursue its allegations of contempt against Bridgeport Fittings, Inc. ("Bridgeport") only with respect to:

- (a) the Demo Kits containing an enjoined connector; and
- (b) the online marketing materials.

(2) Arlington's request to conduct additional discovery is **GRANTED** with respect to the Demo Kits only. Arlington's request to conduct additional discovery with respect to any other matter is **DENIED**. The scope of discovery will be further limited to:

(a) the 168 Bridgeport Demo Kits containing an enjoined connector identified in Bridgeport's shipping records (see Doc. 353-2).

(b) Arlington may take up to two (2) depositions per recipient of a shipment of Demo Kits, as identified in Bridgeport's shipping invoice (Doc. 353-2). For purposes of discovery, the separate shipments to Wm. Bleiman & Sons ("Bleiman") and Ed Harvey are considered one shipment to Bleiman.

(c) Arlington may submit up to twenty (20) interrogatories, including subparts, per recipient of a shipment of Demo Kits, as identified in Bridgeport's shipping invoice (Doc. 353-2). For purposes of discovery,

the separate shipments to Bleiman and Ed Harvey are considered one shipment to Bleiman.

(d) This discovery shall be completed by February 8th, 2017.

- (3) Both parties may file supplemental memoranda discussing their positions post-discovery by March 1st, 2017.
- (4) At this time, Arlington's requests for fees and sanctions are **DENIED**.
- (5) It is **FURTHER ORDERED** that the parties shall appear before this Court on the 8th day of March, 2017, at 9:00 a.m. in Courtroom #3 of the Max Rosenn United States Courthouse, 197 South Main Street, Wilkes-Barre, PA 18701, for an evidentiary hearing on whether this Court should hold Bridgeport in civil contempt.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge